

REMARKS/ARGUMENTS

Claims 1-11, 19, 26-31, 33-34, and 36-39 are pending in the application. All claims have been rejected. No claims have been amended.

A. Indefiniteness

On page 2 of the Office Action, the Examiner rejected Claims 1-11, 26-31, 33-34, and 36-39 under 35 U.S.C. § 112 ¶ 2 as being indefinite. More specifically, the Examiner stated that it was unclear if the liquid that is absorbed by the microbial cellulose wound dressing is the water present in the dressing (*i.e.*, the dressing is reabsorbing water) or whether it is absorbing fluid from the wound such as fluid wound exudate.

In response, Applicant refers the Examiner to the description of FIGs. 1-3 and Paragraphs 0047-0051 of the published application. In particular, Paragraph 0048 states: "Weighed samples of uniform area were placed on the surface of a saturated sponge. Saline was poured around the sponge to maintain saturation. After 24 hr, the samples were reweighed to determine absorption, which was then plotted as percent of initial sample weight. To determine the moisture donation, weighed samples of uniform area were placed on the surface of smooth, dry leather. The leather was weighed prior to addition of sample. After 2 hr, the sample was removed and the leather was reweighed to determine the quantity of moisture that was donated, which again was plotted as percent of the initial sample weight." Thus, in the examples, Applicant respectfully submits that the absorption/donation percentages are intended to refer to calculations based on a percent of the initial sample weight (including both the cellulose and the water). The absorption calculations were based on saline as a test liquid. However, in a clinical setting, the absorbed

liquids could be in the form of fluid exudate or liquid medicament, for example. Withdrawal of the rejection is respectfully requested.

B. Double Patenting

On pages 3-4, the Examiner rejected the pending claims as being subject to obviousness-type double patenting based on Applicant's co-pending application Serial No. 10/864,804.¹ Enclosed herewith is a Terminal Disclaimer to Obviate a Provisional Patenting Rejection Over a Pending "Reference" Application, along with the requisite fees. Applicant believes that the disclaimer overcomes the Examiner's rejection of all of the claims on the basis of obviousness-type double patenting. Withdrawal of the rejection is expressly requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims are now in condition for allowance and eventual issuance. Such action is respectfully requested. Should the Examiner have any further questions or comments which need be addressed in order to obtain allowance, please contact the undersigned attorney at the number listed below.

Acknowledgement of receipt is respectfully requested.

Respectfully submitted,

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¹ Applicant previously submitted terminal disclaimers for (1) U.S. Patent No. 7,390,499; (2) U.S. Patent No. Serial No. 10/173,576; (3) U.S. Patent No. Serial No. 10/345,394; and (4) U.S. Patent No. Serial No. 10/425,978.